

REMARKS

Applicants have received and reviewed the final Office Action dated October 28, 2005. By way of response, Applicants have amended claim 42, 43, 47, 51, 52 and 56. Claims 42-59 are pending. Applicants request consideration of the following remarks.

For the reasons given below, Applicants submit that the amended claims are in condition for allowance and notification to that effect is earnestly solicited.

IDS:

The Examiner has requested additional copies of the "foreign references" and "other documents" submitted in the parent application, serial number 09/816695, as the references are no longer in the parent application file. As requested, additional copies of the "foreign references" and "other references" submitted in the parent application, serial number 09/8166985, and listed on the Form 1449 dated September 2, 2003 for the present application, are herein provided. An additional copy of pages 5-6 of the Form 1449 dated September 2, 2003 is also enclosed for the Examiner's reference. Applicants respectfully request the Examiner consider the "foreign references" and "other references" listed on pages 5-6 of the Form 1449 dated September 2, 2003 for the present application.

Claim Amendments

Applicants have amended independent claim 42 to recite a method of cleaning a medical cart or cage comprising "contacting occurring in an apparatus configured for cleaning a medical cart or cage; transporting the medical cart or cage through the entry of the apparatus comprising a door or hanging plastic strips; applying the rinse composition in a washing and rinsing station; drying the medical cart or cage in a drying station; dispensing the rinsing composition in the apparatus." This amendment finds support in the specification at least at page 11, lines 16-31, page 12, lines 1-21; page 13, lines 18-31, page 14, lines 21.

Applicants have amended independent claim 51 to recite "wherein the contacting the medical device or instrument occurs in a medical device or instrument cleaning apparatus that transports a basket containing the medical device or instrument through the chambers that include at least one chamber that houses the instruments during contacting." This amendment finds support in the specification at least at page 15, lines 16-25.

As claims 42 and 51 are supported in the specification, these claims and their dependents are in condition for allowance. Notification to that effect is earnestly solicited.

Claim Rejections Under 35 U.S.C. § 112

The Examiner rejected claims 47 and 51 under 35 U.S.C. § 112, second paragraph. Applicants respectfully traverse this rejection.

Solely to expedite prosecution, Applicants have amended claims 47 and 51 such that the objected to language is not longer recited. As such, these rejections are moot. Applicants respectfully request withdrawal of these rejections.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claims 52-59 under 35 U.S.C. § 103(a) as obvious over Lentsch et al. (US Patent No. 5,880,088). The Examiner rejected claims 42-59 under 35 U.S.C. § 103(a) as obvious over Schulz et al. (US Patent No. 5,698,513). The Examiner rejected claims 42, 47, 51, and 56 under 35 U.S.C. § 103(a) as obvious over Richter et al. (US Patent No. 5,234,719). The Examiner rejected claims 42, 47, 51, and 56 under 35 U.S.C. § 103(a) as being obvious over Bull (US Patent No. 5,310,549). Applicants respectfully traverse these rejections.

Independent claim 42 recites a method of cleaning a medical cart or cage comprising “contacting occurring in an apparatus configured for cleaning a medical cart or cage; transporting the medical cart or cage through the entry of the apparatus comprising a door or hanging plastic strips; applying the rinse composition in a washing and rinsing station; drying the medical cart or cage in a drying station; dispensing the rinsing composition in the apparatus.”

Independent claim 51 recites a method employing a neutral or neutralizing rinse composition for cleaning a medical device or instrument “wherein the contacting the medical device or instrument occurs in a medical device or instrument cleaning apparatus that transports a basket containing the medical device or instrument through the chambers that include at least one chamber that houses the instruments during contacting.” The cited references fail to teach or suggest a method for cleaning a medical cart or cage or medical instrument or device as presently claimed.

All of the references cited by the Examiner teach or suggest rinse or cleaning compositions. Some of these references also teach use of the compositions in ware washing machines. However, none of the cited references teach or disclose the method of washing the wares as described in claims 42 and 51. Therefore, the references cited in the rejection neither teach nor suggest the presently claimed invention.

Accordingly, based on the foregoing differences, it is submitted that the references cited in the rejection neither teach nor suggest the newly presented claims, and withdrawal of this rejection is respectfully requested.

Summary

Applicants submit that claims 42-59 are in condition for allowance, and notification to that effect is earnestly solicited. The Examiner is invited to contact Applicants' representative at the telephone number listed below, if the Examiner believes that doing so will advance prosecution of this application.

Respectfully submitted,
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